

DEPARTMENT OF TRANSPORTATION

Adoption of Chapter 19-142
Hawaii Administrative Rules

1. Chapter 142 of Title 19, Hawaii Administrative Rules, entitled "Periodic Safety Inspection of Motor Carrier Vehicles", is adopted to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 19
DEPARTMENT OF TRANSPORTATION

SUBTITLE 5
MOTOR VEHICLE SAFETY OFFICE

CHAPTER 142
PERIODIC SAFETY INSPECTION OF MOTOR CARRIER VEHICLES

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SUBCHAPTER 1

GENERAL PROVISIONS

§19-142-1 Definitions. As used in this chapter, unless the context clearly indicates otherwise:

"Ambulance" means a motor vehicle designed and equipped to provide normal and emergency transportation for persons requiring medical care.

"Bus" means the same as defined in section 286-2, HRS.

"Car rental transport vehicles" means the same as defined in section 286-209, HRS.

"Certified vehicle inspector" or "inspector" means a person who possesses a current, valid, vehicle inspector certificate issued by the director or the director's duly authorized representative.

"Department" means the state department of transportation.

"Director" means the same as defined in section 286-2, HRS.

"Duly authorized representative of the director" means the motor carrier safety officers of the department.

"Enforcement officer" means motor carrier safety officers of the department.

"Glazing materials" means any glass, plastic, or like material, manufactured for use in or on a vehicle, including but not limited to windshields, window openings or interior partitions.

"Gross vehicle weight rating" or "GVWR" means same as defined in section 286-201, HRS.

"HRS" means the Hawaii Revised Statutes.

"Motor carrier" means the same as defined in section 286-201, HRS.

"Motor carrier vehicle" means the same as defined in section 286-201, HRS.

"Motor vehicle" means the same as defined in section 286-2, HRS.

"Official inspection station" or "inspection station" means a person, partnership, entity, or corporation that is authorized and issued a permit by the department to conduct official motor carrier vehicle safety inspections.

"Official motor carrier vehicle safety inspection" or "inspection" means that inspection of motor carrier vehicle equipment and components as required by this chapter.

"Passenger carrying vehicle" means every motor vehicle, except motorcycles and motor scooters, designed for carrying 9-15 passengers including the driver.

"Pole trailer" means the same as defined in section 286-2, HRS.

"Reconstructed vehicle" means the same as defined in section 286-2, HRS.

"School bus" means the same as "school vehicle" as defined in section 286-181(a), HRS.

"School vehicle" means the same as defined in section 286-181(a), HRS.

"Semitrailer" means the same as defined in section 286-2, HRS.

"State" means the same as defined in section 286-2, HRS.

"Tank vehicle" means the same as defined in section 286-2, HRS.

"Tractor-semitrailer combination" means the same as defined in section 286-2, HRS.

"Trailer" means the same as defined in section 286-2, HRS.

"Truck" means the same as defined in section 286-2, HRS.

"Truck tractor" means the same as defined in section 286-2, HRS.

"Vehicle" means the same as defined in section 286-2, HRS. [Eff _____](Auth: HRS §§286-202, 286-209)
(Imp: HRS §§286-202, 286-209)

§19-142-2 Scope. (a) This chapter applies to all vehicles which are subject to the motor carrier safety law, part XI, chapter 286, Hawaii Revised Statutes.

(b) This chapter also applies to:

- (1) The registered owner of any motor carrier vehicle operated on the public highways in the state;
- (2) Every person who operates or parks any motor carrier vehicle or trailer on a public highway in the state;
- (3) Every motor carrier inspection station; and
- (4) Every person who conducts motor carrier vehicle safety inspections.

(c) This chapter shall not apply to:

- (1) Any vehicle owned and operated by an agency of the federal government, provided that such vehicle, when operated on the public highways carries a certificate within the vehicle showing that the vehicle has been inspected and certified under an equivalent periodic inspection program operated by the federal government;
- (2) Military vehicles which are specially configured and have no equivalent counterpart available to the general public when owned and operated by an agency of the state or federal government; and
- (3) Farm tractors, implements of husbandry, and special mobile equipment temporarily drawn, moved, or otherwise propelled on the public highways and which are not required to be registered and licensed. [Eff]
(Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-208, 286-209)

§19-142-3 Inspection and certification of vehicles.

(a) The following classes of vehicles shall be inspected and certified once every twelve months:

- (1) All buses and school buses;
- (2) Passenger carrying vehicles, including limousines and tour vehicles;
- (3) Trucks, truck-tractors, trailers, semitrailers, and pole trailers having a gross vehicle weight rating of more than ten thousand pounds; and
- (4) Car rental transport vehicles

(b) All ambulances shall be inspected and certified once every six months. [Eff] (Auth: HRS §286-209) (Imp: HRS §286-209)

§19-142-4 Administration and enforcement. (a) The department shall administer and enforce this chapter with respect to the certification of official inspection stations and inspectors.

- (b) The department shall be responsible for:
- (1) Issuing permits for and the furnishing of instructions and all necessary forms to official inspection stations;
 - (2) Supervising and inspecting of official inspection stations;
 - (3) Suspending or revoking permits issued to an official inspection station whenever the department determines through inspection or investigation that the official inspection station is not properly conducting inspections in accordance with this chapter; and
 - (4) Certifying persons as being authorized to conduct inspections. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-203, 286-209, 286-211, 286-212)

SUBCHAPTER 2

INSPECTION STATIONS

§19-142-5 Official inspection stations; permits; department responsibilities. The director shall be responsible for the following duties with respect to the application for an official inspection station permit:

- (1) Issuing permits designating each inspection station that meets the minimum standards required by this chapter to conduct inspections;
- (2) Inspecting the station facilities and equipment of each applicant to ensure that the minimum standards required by this chapter are met;
- (3) Ascertaining that each applicant meets the minimum requirements of this chapter with respect

- to having an appropriately certified inspector in its employ;
- (4) Recording the results of all inspections of station facilities and equipment of each applicant;
 - (5) Maintaining a file of all records for each applicant from the date of application until the date of termination;
 - (6) Providing official application forms for an inspection station permit; and
 - (7) Developing and issuing such additional forms and instructions as may be necessary to administer the issuance of official inspection station permits. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-211)

§19-142-6 Types of official inspection station permits. There shall be two types of official inspection station permits to be designated as:

- (1) Public - to conduct vehicle inspections on all types of vehicles listed on the face of the permit that are presented for inspection;
- (2) Private - to conduct vehicle inspections only on those types of vehicles listed on the face of the permit which are owned by and registered to the owner and operator of the official inspection station. Any government agency may be a private station. A private station qualification shall be determined by the director.
[Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-211)

§19-142-7 Application for official inspection station permits. Each applicant or application for certification as an official inspection station shall comply with the following:

- (1) Application for the permit shall be made on an official form furnished by the director.
- (2) The applicant shall provide the following information:
 - (A) The registered business name with the Department of Commerce and Consumer Affairs, in good standing and trade "dba" name, when applicable, of the station;

- (B) The exact address and location of the applicant's place of business where the inspections will be conducted. (A separate application shall be made for each additional location owned or operated by the applicant which is to be certified as an inspection station);
 - (C) The name of the station owner, manager, or supervisor who is a certified vehicle inspector and will be responsible and accountable for the inspections and the performance of the inspections;
 - (D) The applicant's type of business; e.g., service station, truck rental, repair shop, automotive dealer;
 - (E) Type of permit requested, public or private as well as whether the requested permit is for the inspection of any of the following:
 - (i) Limited - vehicles that require a Class 3 license;
 - (ii) Unlimited - vehicles that require a Class 4 license or commercial driver license with appropriate endorsement; and
 - (iii) Trailers only; and
 - (F) A list of the names and inspector certificate numbers of certified vehicle inspectors presently employed by the applicant as employees.
- (3) The application form shall contain a statement that the applicant agrees to properly equip and maintain, at the applicant's expense, all safety inspection facilities in accordance with the minimum standards set by this chapter; and conduct inspections as required by this chapter.
- (4) Public inspection station applicants shall comply with the licensing requirements for shops and mechanics of the Motor Vehicle Repair Industry of the Department of Commerce and Consumer Affairs. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-211)

§19-142-8 Issuance of official inspection station permits. (a) Inspection station permits shall not be issued if the standards in this section are not met.

(b) Each inspection station serving the public shall have a minimum of two certified vehicle inspectors scheduled to be available to conduct vehicle inspections for a total of eight hours each day, five days a week between 6:00 AM to 10:00 PM., except Saturdays, Sundays and state and federal holidays.

(c) At least one of the two certified vehicle inspectors at every inspection station shall be a supervisor, manager, or owner.

(d) Each inspection station shall conform to the following requirements:

- (1) The inspection area must comply with the minimum dimensions as follows:
 - (A) Passenger carrying vehicles, trucks, trailers, and buses less than ten thousand pounds GVWR and truck trailers, twelve feet by twenty-five feet (3.7 meters by 7.6 meters);
 - (B) Trucks, buses, and trailers over ten thousand pounds GVWR, twelve feet by seventy feet (3.7 meters by 21.3 meters)
- (2) The inspection areas shall also:
 - (A) Have permanently constructed substantial protection from weather;
 - (B) Be designated and marked as the inspection area;
 - (C) Be clean and orderly;
 - (D) Have a hard surface, such as concrete, and be in sound condition. Wood or dirt floors shall not be acceptable;
 - (E) Have a surface limited to a 2.5 percent slope (three inches in ten feet); and
 - (F) Have no hazardous conditions that may cause injury to persons or damage to vehicle.
- (3) The total interior floor area and the exterior ground space, including parking areas which are used by the public, shall be free of dirt, gravel, grease, oil, debris, or other noxious, hazardous, or repulsive foreign substances;
- (4) Every official inspection station shall have a vehicle headlamp test area that is flat and level within the calibration limits of the headlamp aim testing equipment. This requirement is not required for trailer only stations; and

- (e) Every official inspection station shall have the following tools, equipment and replacement parts available and in good operating condition at the station location:
- (1) One headlamp testing device, such as a mechanical aimer, optical or photoelectric aiming device, or aiming screen of a type approved by the director. This equipment is not required for trailers only stations;
 - (2) One vehicle hoist, drive over pit, drive-on ramp or one floor jack having a minimum lift capacity of five thousand pound and one jack with a twenty thousand pound lift capacity, or a minimum of two jack stands with five-ton or higher rated capacity to facilitate a complete view of the underside of the vehicle to be inspected;
 - (3) One flashlight or work light capable of illuminating under vehicle or under hood inspections;
 - (4) A tire tread depth gauge scored in 1/32 inch increments or fifteen centimeters scored in increments of one millimeter;
 - (5) A tire pressure gauge marked in pounds per square inch or metric equivalent;
 - (6) A standard assortment of tools common to a service station or repair shop for replacing and adjusting all vehicle lighting devices, for removing and replacing wheels and tires, for removing and replacing windshield wiper arms and blades, for removing and replacing exhaust pipes and mufflers, and for adjusting all types of brakes on the types of vehicles which the station is authorized to inspect;
 - (7) Additional tools and equipment for the inspection of vehicles over ten thousand pounds GVWR shall include approved caliper or "matching stick" for dual tires; a gauge block (1/2 inch) for dual tires; and an ammeter (0 to 25 amperes for two brake systems, 0 to 40 amperes for six brake systems) for electric brakes. Electric brakes may also appear on trailers less than ten thousand pounds GVWR; and
 - (8) A window light transmittance meter (WTM), certified by its manufacturer for testing any aftermarket sun screening devices affixed to the glazing materials of the vehicle to be inspected.

(f) Each official inspection station shall obtain and maintain a copy of this chapter in good legible condition for use exclusively at the station.

(g) In accordance with section 286-211, HRS, each public official inspection station shall provide certificate(s) showing the policy(s) to be initially in force, keep the certificate(s) on deposit, and furnish a like certificate(s) upon each renewal of the policy(s) that there is in effect a liability insurance policy issued to the station owner or operator by an insurance company authorized to do business in the state. If a trade "dba" name is used, the registered and in good standing business name with the Department of Commerce and Consumer Affairs must be used with it. The policy shall insure the owner or operator and any of their employees authorized to inspect vehicles in the minimum amounts of \$10,000 for comprehensive public liability for one person, \$20,000 for one accident, and \$5,000 for comprehensive property damage. Exceptions to this requirement are stations that inspect only vehicles owned by the station owner or operator and stations that are operated by instrumentalities of the federal, state and county governments. [Eff]
(Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-211)

§19-142-9 Official Inspection station permit form.

(a) The inspection station permit shall be a form approved by the director.

(b) The following information shall appear on the face of the permit:

- (1) The registered name of the person, business, partnership, LLC or corporation owning and operating the inspection station;
- (2) The "doing business as" (dba) name of the inspection station;
- (3) The street address and location of the inspection station. If the inspection is conducted at a different location than the listed street address, then both addresses and locations shall appear;
- (4) A permit control number;
- (5) The date the permit is issued;
- (6) The type of inspection station, public or private;
- (7) The type or class of vehicles the station is authorized to inspect and certify; and

(8) The signature of the representative authorized to issue inspection station permits, with the representative's title and name typed under the signature.

(c) The permit shall be posted in a conspicuous place at the location where the inspections are conducted, and shall be visible to all vehicle owners who present their vehicles for inspection.

(d) The permit shall not be assigned, transferred, or used for any location other than the location listed on the face of the permit as the place where the inspection will be conducted. [Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-211)

§19-142-10 Inspector certification; department responsibilities. The director shall be responsible for:

- (1) The issuance of certificates authorizing those persons meeting the requirements established by this chapter to conduct inspections;
- (2) The administration of written and performance examinations for all applicants;
- (3) Recording the results of all examinations;
- (4) Maintaining a record of examination results for a period of one year from the date the applicant took the examination;
- (5) Maintaining a record of examination results for the entire period for which an inspector's certificate is valid;
- (6) Maintaining a file for all inspectors for a period of one year after decertification; and
- (7) The development and issuance of additional instructions and forms as may be necessary for administering the inspector certification process. [Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-11 Application for inspector certification.

(a) Application for inspector certification shall be made on a form furnished by the director.

(b) The applicant shall provide and certify to the truth of the following information on the approval form:

- (1) Type of application - original or renewal;
- (2) Applicant's legal last name, first name, and middle initials;
- (3) Applicant's home address;

- (4) Applicant's cell or home telephone number; business number;
- (5) Applicant's date of birth;
- (6) Type of valid Hawaii driver license and driver license number of the applicant;
- (7) Applicant's driving experience in years and by type of vehicle;
- (8) Applicant's vocational and technical training schools, accompanied by a copy of certificates of successful completion;
- (9) Applicant's technical licenses (attach copies);
- (10) Proof of applicant's experience in vehicle inspection, automotive mechanics, automotive maintenance, and related automotive mechanics experience (include names and phone numbers of supervisors);
- (11) Applicant's signature to the declaration that all furnished information is true, and that applicant gives the state permission to contact any and all persons necessary to confirm the accuracy of information provided; and that upon certification as an inspector, the applicant shall conduct inspections in accordance with this chapter; and
- (12) The date the application is filed.
[Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-12 Issuance of inspector certificates. The director shall issue official vehicle inspector certificates only to those applicants who meet the following required minimum standards:

- (1) Each applicant shall be able to read and legibly print the English language and Arabic numerals;
- (2) Each applicant shall be at least eighteen years old at the time the application is submitted to the director;
- (3) Each applicant shall be a high school graduate or have an equivalent education level certification. Vehicle safety inspectors certified prior to July 1, 1976 and performing vehicle safety inspector duties satisfactorily are exempt from this requirement;
- (4) Each applicant shall have a valid Hawaii driver license for the type of vehicle to be inspected;

- (5) Each applicant shall have at least one year of training in automotive mechanics, or a related technical field at a school conducting regularly scheduled classes; the applicant may substitute for the required education, two years of employment experience in automotive maintenance, repair, or service; and
- (6) Each applicant shall complete a performance examination, administered by the director or those whom he delegates the responsibility of the job. [Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-13 Inspector certificate form. (a) The inspector certificate shall contain the following information:

- (1) The name of the person to whom the certificate is issued;
 - (2) The date the certificate is issued;
 - (3) The expiration date of the certification as an inspector;
 - (4) The signature of the department representative authorized to issue the certificate;
 - (5) The number of the certificate; and
 - (6) The signature of the person to whom the certificate is issued.
- (b) The following information shall be listed on the reverse side of the inspector certificate:
- (1) The types of vehicle the inspector is certified to inspect; and
 - (2) The name and location of the inspection station at which the inspector is authorized to do inspections.
- (c) Every inspector certificate shall be displayed with the inspection station permit in a conspicuous place, at the location where the inspections are conducted. If the inspector conducts inspections at more than one location, a duplicate inspector's certificate shall be displayed at each additional location.
- (d) The inspector's certificate authorizes the inspector to conduct vehicle inspections only for the vehicle types listed and at the station locations listed on the reverse side of the certificate.
- (e) Duplicate inspector certificates may be issued upon satisfactory explanation by the inspector of the

status of the original certificate. The duplicate certificate shall contain the following information:

- (1) The original certificate control number with the word "duplicate" written after the number; and
- (2) The expiration date specified on the original certificate.

(f) The inspector certificate shall expire four years from the date of issuance, unless revoked or suspended by the director. Inspectors are responsible for keeping certificates current. No reminder notices will be sent to inspectors.

(g) Recertification of inspectors shall conform to the following requirements:

- (1) Application for renewal of certification shall be made by the inspector not more than sixty days prior to the expiration of the certificate; and
- (2) Recertification shall follow the certification procedure.
- (3) Every applicant for recertification shall satisfactorily complete a performance examination approved by the director.

(h) An inspector whose certificate has expired shall follow the certification procedure in this chapter.

(i) Inspector's certificate issued before the effective date of this chapter shall be valid for four years from the date of issuance, unless revoked or suspended by the director.

(j) The vehicle safety inspector certificate shall be valid only in the county for which it was issued.

[Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-14 Official Inspection stations; operating procedures. (a) Official inspection stations shall be operated in accordance with this chapter and the following:

- (1) Public official inspection stations shall be operated with reasonable regard for the convenience of the public;
- (2) Inspections shall be conducted only at official inspection stations which have been issued a permit by the director;
- (3) Inspections shall be conducted only by inspectors who have a valid inspector's certificate;
- (4) Official inspection stations shall not allow any of their vehicles to be in non compliance with this chapter.

(5) Public official inspection stations may be required to post a sign with a minimum area of one hundred forty-four square inches, clearly visible from a public area, containing the words "Official Motor Carrier Vehicle Safety Inspection Station," together with the identifying letter and number assigned to that station; and

(b) The director shall furnish copies of all instructions and required forms, including a copy of this chapter and any updates to every official inspection station. The copies will be available at the Motor Vehicle Safety Office. The director may require persons receiving rules to pay the cost of those items. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-15 Safety inspection records. (a) A vehicle certificate of inspection shall be completed and signed by the certified inspector who performs the inspection for each vehicle inspected.

(b) The inspection station operator shall ensure that the owner of each inspected vehicle receives a completed certificate or notice of vehicle failure and has a sticker affixed to the lower right hand corner of the front windshield if the vehicle has passed the inspection. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-16 Inspection stations; supervision by the department. The director shall exercise supervisory control over all official inspection stations. This supervisory function shall include, but not be limited to, the following activities:

- (1) The issuance of instructions and any forms as may be required for:
 - (A) The preparation and maintenance of records concerning inspections;
 - (B) The preparation and submission of reports by the inspection station inspectors; and
 - (C) The proper use and condition of inspection station facilities and equipment used in the inspection of vehicles.
- (2) Monitoring and inspecting official inspection stations to:

- (A) Evaluate the procedures used in the inspection of vehicles;
 - (B) Evaluate the condition of vehicle inspection facilities and equipment used in vehicle inspections; and
 - (C) Evaluate the condition and accuracy of test equipment used in vehicle inspections.
- (3) The analysis of official vehicle inspection data to evaluate the performance of the official inspection stations and take appropriate action as may be necessary;
- (4) The preparation and maintenance of appropriate records for each inspection station; and
- (5) The preparation of a report at the end of each quarter covering periodic vehicle safety inspection activities. This report shall contain, but not be limited to, the following:
- (A) The number of vehicle inspection station investigations conducted;
 - (B) The number of official inspection station permits suspended;
 - (C) The number of official inspection station permits revoked;
 - (D) The number of active official inspection stations;
 - (E) The number of inspector certificates suspended;
 - (F) The number of inspector certificates revoked;
 - (G) The number of active certified inspectors;
 - (H) The number of inspectors investigated;
 - (I) The number of inspections stations monitored; and
 - (J) The number of inspectors monitored.
- [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-211, 286-212)

§19-142-17 Enforcement by the department. (a) The department shall suspend or revoke inspection station permits or inspector certificates and, when appropriate or required, by the issuance of citations for violations of the law. Suspensions and revocations shall be governed by this chapter.

(b) Suspension of station permits and inspector certificates shall be the temporary withdrawing and withholding of safety inspection authorization from an

official inspection station or a certified inspector by the department for a period of one month or until the violation is corrected.

(c) A suspension shall be vacated and the station permit or inspector certificate shall be reinstated at the end of the one month period of suspension if the department determines that the violation has been corrected; otherwise, the suspension shall continue until the violation is corrected.

(d) Revocation of station permits and inspector certificates shall be for a period of six months, or until the department issues a new permit or certificate, whichever is longer.

(e) A revocation shall be terminated when an application for a new permit or certificate is submitted to and approved by the department but no sooner than the end of the suspended period.

(f) The department shall issue citations for violations of sections 286-213 and 286-214, HRS.

(g) When a citation is issued, the department shall revoke the station permit and the inspector certificate of the person charged with the citation.

(h) The department shall post at its Motor Vehicle Safety Office a list of the names of inspection stations for which permits have been suspended or revoked. The station name shall remain posted for the period of suspension or revocation for a minimum of thirty days from the initial suspension or revocation.

[Eff] (Auth: HRS §§286-202, 286-209)
(Imp: HRS §§286-211, 286-212)

§19-142-18 Operating procedures for inspectors.
Inspectors shall conduct all inspections in accordance with this chapter and the following:

- (1) No person shall claim to be an inspector or issue any official inspection certificate and sticker unless the person possesses a current, valid, inspector certificate to conduct inspections of the vehicle type and at the inspection station location indicated on the certificate;
- (2) Certified inspectors shall be the only persons authorized fill out and sign the inspection certificate and issue and affix an inspection sticker to a vehicle after successful completion of the inspection;

- (3) A certified inspector may be assisted by a noncertified person when conducting an inspection, provided that the noncertified person and inspector must work together and at the same time on the same vehicle when doing the inspection as a means of training a potential inspector;
- (4) No certified inspector, working at a public or private inspection station, shall require unnecessary repairs, make excessive charges, or act abusively to customers seeking safety inspection certification for their vehicles; and
- (5) Every certified inspector shall conduct inspections in accordance with the procedures and criteria prescribed in this chapter.
[Eff _____] (Auth: HRS §§286-202, 286-209, 286-213) (Imp: HRS §§286-202, 286-209)

§19-142-19 Supervision of inspectors. The director shall exercise control over all inspectors. Nothing in this chapter shall be construed as creating an employment or agency relationship between the department or director and any inspector, inspection station worker, or employee. This supervisory function shall include, but is not limited to, the following activities:

- (1) The examination and qualification of all inspector applicants;
- (2) The issuance of forms as may be required;
- (3) The monitoring of inspection activities of inspectors; and
- (4) Conducting investigations of reported or suspected improper inspection activities.
[Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

SUBCHAPTER 3

GENERAL PROCEDURES FOR INSPECTION

§19-142-20 Application for inspection certification.
(a) Any vehicle owner or operator shall be allowed to make an appointment with any public official inspection station for inspection of a vehicle. The appointment shall

be scheduled within fifteen days after the date of application for inspection.

(b) Any vehicle owner or operator shall not be obligated to have any repair work performed at the station where the inspection is made.

(c) Modified or reconstructed vehicles shall meet the requirements of chapter 19-141 prior to the vehicle inspection being done. [Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-21 Causes for refusal to inspect. An inspection station may refuse to inspect any vehicle which contains foul or obnoxious material or whenever the performance of any visually inspectable component cannot readily be determined because of an accumulation of dirt, grease, or other foreign material. [Eff _____] (Auth: HRS §§286-202, 286-209) (Imp: HRS §§286-202, 286-209)

§19-142-22 Inspection fees. (a) When an application for certification of a vehicle inspection is made at an official inspection station, an inspector may first collect the inspection fee, then conduct the inspection pursuant to this chapter using a blank certificate of inspection form as a checklist to perform the inspection.

(b) If more than thirty days have elapsed after failure of the applicant's vehicle to qualify for certification, a complete inspection shall be made of the entire vehicle and the full fee for another inspection may be charged by the inspector.

(c) An inspection station may charge a maximum fee determined by the director for the replacement of destroyed, stolen or lost inspection certificate and sticker.

(d) An inspection station may charge for the inspection, when required, of aftermarket sun screening devices affixed to the glazing materials of a vehicle. The maximum fee shall be determined by the director.

(e) An inspection station may charge the following inspection fees:

(1) Not more than \$12.00 plus tax for each safety inspection performed.

(A) The director shall collect from the operator of an official inspection station, a fee of \$1.50 for each motor carrier vehicle safety

inspection decal issued by the official inspection station. (The amount of \$.75 shall be for the left half of the sticker, designating the month of expiration of the inspection certificate; and the amount of \$.75 shall be for the right half of the sticker, designating the year of expiration of the inspection certificate.); and

- (2) A fee of not more than \$5.00 plus tax may be charged for testing of light transmittance, with a window light transmittance meter, of aftermarket sun screening devices affixed to the glazing materials of a vehicle. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-209)

§19-142-23 Failure to qualify for certification and correction of defects. (a) When a vehicle fails to pass an inspection for certification pursuant to this chapter, the certificate of inspection shall not be signed and the authorized sticker shall not be affixed to the vehicle.

(b) An incomplete certificate of inspection shall be given to the applicant after the inspection, so that the corrective repairs may be done on the vehicle.

(c) If the applicant refuses to have the corrective repairs done on the date of the inspection, the applicant shall have ten days to have the deficiencies corrected and return to the station for re-inspection of the defective items without additional cost.

(d) If, after corrective repair within the ten day period, the vehicle is found to qualify for certification, a certificate of the inspection shall be completed and issued by the inspector and a sticker affixed to the vehicle in accordance with this chapter. If a different inspector passes the vehicle after inspecting the defects, a new certificate of inspection shall be completed by that inspector. No additional fee shall be charged.

(e) If no certificate of inspection is issued, a notation to that effect shall be made on all copies of the incomplete certificate. The white copy of the incomplete certificate shall be held by the inspection station, the blue copy shall be given to the driver, and the pink and yellow copies shall be forwarded to the department at the end of the month following the month the vehicle was rejected.

(f) This section shall not constitute an authorization to operate any vehicle on the public highways without a valid certificate of inspection or with an expired certificate. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-209)

§19-142-24 Issuance of certificates of inspection and affixing of inspection stickers. (a) When the vehicle's equipment is inspected pursuant to this chapter and found to qualify for certification, the certificate of inspection shall be signed by the inspector who performed the inspection.

(b) After the certificate of inspection is signed, an inspection sticker shall be affixed by the inspector upon the lower right hand outside corner of the windshield or on the lower front right hand corner of the trailer.

(c) All expired or replaced inspection stickers appearing on the vehicle shall be removed and destroyed. [Eff] (Auth: HRS §286-202, 286-209) (Imp: HRS §286-209)

§19-142-25 Replacement of lost, stolen or destroyed inspection stickers. (a) Inspection stickers which have been lost, stolen or destroyed shall be replaced without reinspection by the official inspection station that issued the original inspection certificate and sticker provided that the current certificate of inspection shall not have expired at the time replacement is requested. If the original inspection station is no longer in operation, the inspection sticker that has been lost, stolen or destroyed may be issued by another official inspection station provided that a current certificate of inspection be presented to the inspection station.

(b) Re-inspection shall be required if there is no evidence of a current inspection and issuance of a non-expired certificate of inspection. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-209)

§19-142-26 Items of equipment to be inspected. In addition to the vehicle registration, the following original equipment items meeting requirements on the date of manufacture of the vehicle, plus all additional items subsequently required or permitted to be installed that require inspection, shall be inspected on all passenger

carrying vehicles, trucks, trailers, buses, and school buses presented for inspection:

- (1) Tires;
- (2) Wheels;
- (3) Brakes;
- (4) Steering alignment and suspension;
- (5) Lamps, reflectors, and electrical systems;
- (6) Vehicle glazing (windshields and windows);
- (7) Body and sheet metal components;
- (8) Exhaust system;
- (9) Fuel intake system;
- (10) Speedometer - odometer;
- (11) Fifth wheel and tow bars;
- (12) Emergency equipment; and
- (13) Horn. [Eff] (Auth: HRS §§286-202, 286-209) (Imp: HRS §286-209)

§19-142-27 Scope of inspection. The scope of the inspection shall specifically include the following:

- (1) The vehicle license number and vehicle identification number (VIN) shall be inspected for agreement with the corresponding numbers shown on the current year's valid registration certificate and an original, unexpired Hawaii motor vehicle insurance identification card. Out of state vehicles must have an original, unexpired Hawaii insurance identification card and a temporary or permanent Hawaii vehicle registration. License plates shall be inspected for condition, legibility, proper location and security of mounting. There must be a valid vehicle identification card (VIC) in possession for accuracy;
- (2) Tires shall be inspected for wear, damage, proper size, type and tread configuration;
- (3) Wheels shall be inspected for damage, missing parts, excessive runout, and security of mounting;
- (4) Service, parking and emergency brake systems shall be inspected for performance; wear and condition of friction components and mechanical linkages; leakage of hoses, tubing, diaphragms, pistons, and reservoirs; and proper operation of power units and failure warning indicators;
- (5) The steering and suspension system shall be inspected for condition of power units, if so

- equipped; lash, excessive play, and travel; wheel bearings looseness, damage and wear; wheel alignment; and function, condition, damage and wear of all suspension units;
- (6) Lamps and reflectors shall be inspected for function, location, color, brightness, and damage. Headlamps, auxiliary driving or fog lamps shall, in addition, be tested for aim, and operation of the high beam indicator. Exterior lighting switches, the automatic transmission starter safety switch shall be inspected for function. Visible electrical wiring shall be inspected for condition, location, security of fastening and insulation;
- (7) Glass, plastic or other material used in windshields and windows shall be inspected for type, damage, discoloration, obstruction, tinting, and operation of any window adjacent to the driver:
- (A) Any aftermarket sun screening device installed on the glazing material of a vehicle is allowed on the windshields and the windows to the immediate right and left of the driver; and
- (B) Any sun screening device installed on the glazing material of a vehicle shall be inspected with a window light transmittance meter certified by its manufacturer for conformance with the minimum light transmittance requirements of not less than 70% light transmittance as indicated by the meter. The fee for this test shall be as set forth in section 19-142-22(e)(2).
- (8) Body items and sheet metal components including:
- (A) Exterior and interior rearview mirrors shall be inspected for location, field of view, condition, mounting, ease of adjustment and sharp edges;
- (B) Windshield wipers shall be inspected for proper operation, blade size, and condition, and missing or damaged components;
- (C) The windshield washer shall be inspected for operation and fluid distribution;
- (D) Body parts shall be inspected for damage, looseness, improperly assembled parts, non-approved modifications or replacement parts;

- (E) Bumpers shall be inspected for installation, condition, mounting, looseness, hazardous protrusions and sharp edges;
 - (F) Fenders shall be inspected for proper installation, condition, mounting, looseness, hazardous protrusions, sharp edges and non-approved modifications;
 - (G) Doors shall be inspected for operation and latching. Forward opening hood or trunk lids shall be inspected for proper operation and condition of the latch, secondary or safety catch, and latch release mechanism;
 - (H) The floor pan shall be inspected for condition, damage and holes;
 - (I) Battery must be properly secured, free of leaks and wires free of potential short circuits;
 - (J) Seats shall be inspected for proper operation of the adjustment mechanism and condition of anchor bolts. Seat belts and shoulder harness shall be inspected for condition of belt webbing; missing belts; inoperative buckles; loose, missing or unfastened belt anchorages; and non-approved belts. Seat belt retractors shall be inspected for proper functioning. Audible signal and warning light shall be inspected for proper operation;
 - (K) If a vehicle is equipped with air bags, they all must be fully functional; and
 - (L) Windshield wipers and washers.
- (9) Exhaust system shall be equipped with either a muffler or other noise dissipation device and components shall be inspected for proper condition, damage, mounting, leakage of gases, and missing or exposed parts. The exhaust manifold and connected piping under the hood shall be inspected for condition, damage, looseness, and leakage;
 - (10) All intake and fuel system units, including filler tubes, filler caps, filters, canisters, traps, vents and tanks; and all connecting lines, tubing and hoses shall be inspected for proper location and connection, security, proper installation, leakage, and damage;
 - (11) The speedometer-odometer shall be inspected for proper operation. Indicated vehicle mileage shall

shall not affect the validity of the remainder of the chapter." [Eff _____] (Auth: HRS §286-202) (Imp: HRS §286-202)

2. The adoption of chapter 19-142, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format, pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____, and filed with the Office of the Lieutenant Governor.

FORD N. FUCHIGAMI
Interim Director of Transportation

APPROVED AS TO FORM:

DEPUTY ATTORNEY GENERAL